

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: April 12, 2016

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
ROBERT ALDRICH, Consultant



TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #6 - LAFCO 3205 – Sphere of Influence Amendments
(Expansion) for the San Bernardino County Fire Protection District
(City of Needles territory)**

INITIATED BY:

Jointly initiated by the City Council of the City of Needles and Board of Directors
of the San Bernardino County Fire Protection District

RECOMMENDATION:

Staff recommends that the Commission make the following determinations:

1. Determine that the proposal presented for sphere of influence amendment, submitted under the provisions of Government Code Section 56428, does not require a service review.
2. Certify that LAFCO 3205 is statutorily exempt from environmental review, and direct the Executive Officer to file a Notice of Exemption within five (5) days.
3. Approve the expansion of the sphere of influence for the San Bernardino County Fire Protection District to include the territory of the City of Needles.
4. Adopt LAFCO Resolution No. 3219 reflecting the Commission's determinations and findings for the sphere of influence changes identified.

BACKGROUND:

Resolutions formally initiating an application with LAFCO to: (1) expand the sphere of influence of the San Bernardino County Fire Protection District (hereafter "County Fire" or "SBCFPD") to include the entirety of the City of Needles, and (2) annex the City of

Needles into County Fire and its South Desert Service Zone, were adopted by both the City of Needles on December 8, 2015, and County Fire on December 15, 2015. With concurrence from both the City of Needles and County Fire, LAFCO staff amended the reorganization application to additionally include concurrent annexation into Service Zone FP-5 and the formation of a specific subzone of FP-5 to isolate the special tax revenue to be received from within the boundaries of the City of Needles.

The proposed sphere expansion encompasses the entirety of the City of Needles which includes approximately 20,998 acres (32.81 square miles) generally located on the eastern edge of San Bernardino County on the west bank of the Colorado River. The City of Needles is located in the Mohave Valley which straddles the California-Arizona border. The City includes one unincorporated island – approximately 18 acres of territory which is part of the reservation lands of the Fort Mojave Indian Tribe – that is already within the SBCFPD and South Desert Service Zone. A map illustrating the proposed sphere expansion is included as a part of Attachment #1 to this report and is shown below:



At LAFCO's September 16, 2015 hearing, the Commission determined that it would not require a service review for the sphere of influence amendments proposed for County Fire. At that hearing, the Commission supported staff's position that sphere of influence "amendments" submitted under the provisions of Government Code Section 56428 do not require a service review unless they meet the criteria of the Commission's adopted policy. In this case, LAFCO 3205 does not fit the Commission's policy requirements which address retail water service provision or areas outside a wholesale water purveyor to require a service review for an amendment as outlined in Policy and Procedure Manual, Section IV Application Processing, Chapter 3 Service Reviews, Policy 2 Service Review Requirement for Sphere of Influence Amendments.

Expansion of the sphere of influence will allow for the annexation of the entirety of the City of Needles into County Fire, its South Desert Service Zone, and Service Zone FP-5, and the formation of subzone FP-5 Needles by separate action (LAFCO 3206). This item will be heard following consideration of the proposed sphere expansion. This set of proposals is intended to maintain adequate fire protection and emergency medical response service within the City of Needles service area.

The data and analysis, below, address the factors of consideration required for a sphere of influence amendment as outlined in Government Code Section 56425. Each of these requires a determination adopted by the Commission.

SPHERE OF INFLUENCE DETERMINATIONS:

The City of Needles has submitted an application requesting that LAFCO amend the sphere of influence of County Fire to include the entirety of the City which encompasses approximately 20,998 acres. The proposal, along with a concurrent application (LAFCO 3206) to annex the entirety of the City of Needles by County Fire, its South Desert Service Zone, and Service Zone FP-5, and to form subzone FP-5 Needles, will allow for residents to continue to receive adequate fire and emergency medical response services. The City of Needles immediate and long-term financial constraints preclude the City from continuing to provide these services at acceptable levels. Therefore, LAFCO staff is recommending that the Commission:

Expand the sphere of influence of the San Bernardino County Fire Protection District to include the entirety of the City of Needles.

The following address the mandatory factors as outlined in Government Code Section 56425:

1. The present and planned land uses in the area including agricultural and open space lands:

The land area proposed to be included in the sphere of influence of County Fire includes approximately 20,998 acres of varied land uses within the City of Needles.

The City's General Plan designates approximately 42 percent of the total land area for residential uses, 15 percent for commercial, 18 percent for industrial, six percent for Open Space, and three percent for parks/recreation. Approximately 11 percent of the City's land area has no General Plan land use designation.

The chart, below, depicts the General Plan land use districts (in acres) within the City of Needles (proposed sphere expansion area):

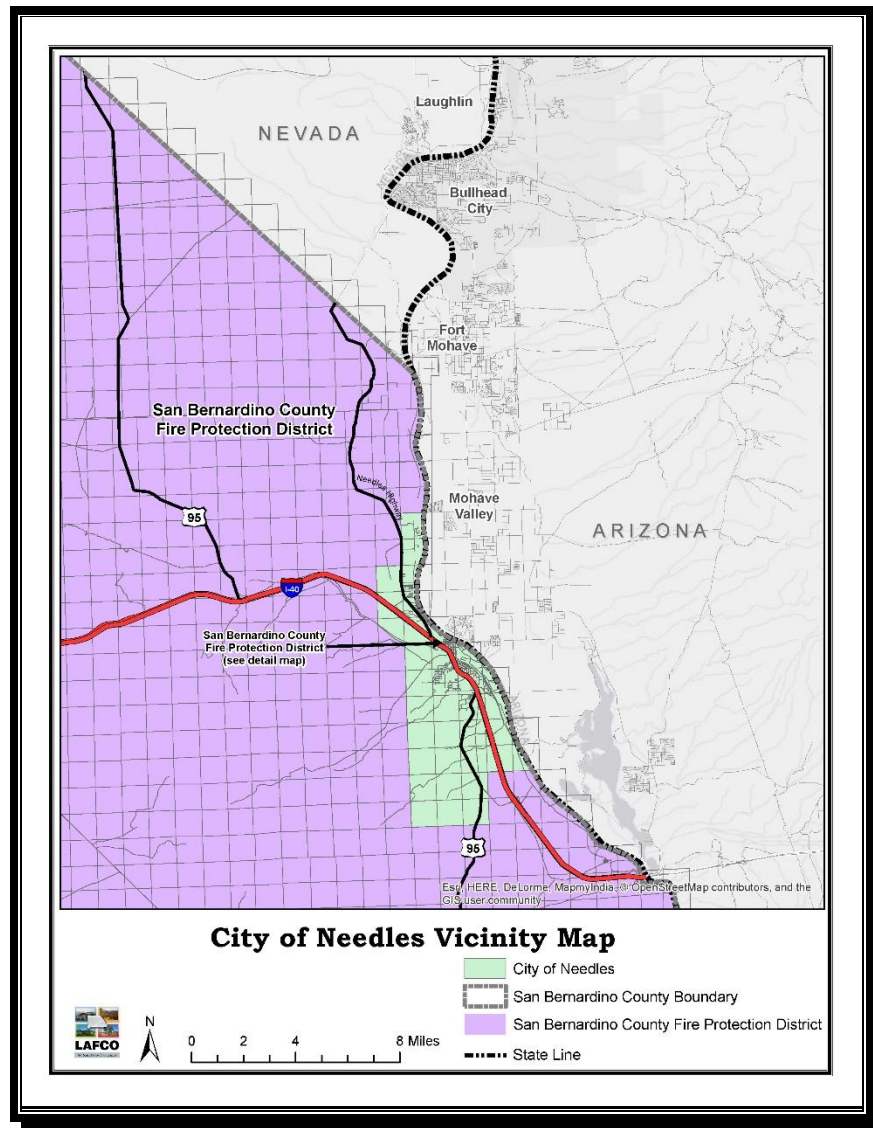
City of Needles Land Use	Acres (approximate)
Residential – Low Density	5,050
Residential – Medium Density	2,020
Residential – High Density	1,414
Commercial - General	202
Commercial - Neighborhood	Less than 200
Commercial - Highway	1,616
Commercial - Resort	1,212
Industrial	3,636
Open Space	1,212
Parks/Recreation	606
Institutional	Less than 200
Others	606
No General Plan Land Use Designation	2,222
TOTAL SPHERE EXPANSION AREA	20,998

Source: City of Needles General Plan

In order to fully understand the future of the City's population, a review of the historical population of the City and the nearby cities is needed. The information which follows was reviewed in the 2013 Service Review conducted by LAFCO for the overall Needles community, and the map which follows illustrates the location. The community has long had an economic disadvantage in relation to the neighboring communities in Nevada and Arizona. As shown, the nearby areas in Arizona and Nevada have experienced significant and steady growth. Corresponding with this growth is a greater economic output. For the City of Needles, its population peaked in 1990, decreased in 2000, and increased by 0.03% by 2010.

	1970	1980	1990	2000	2010
City of Needles, CA	4,051	4,120	5,191	4,830	4,844
City of Bullhead City, AZ	n/a	10,364	21,951	33,769	39,540
City of Lake Havasu, AZ	n/a	15,509	24,363	41,938	55,567
Mohave Valley/Ft Mohave, AZ	n/a	n/a	6,962	15,995	21,687
Laughlin, NV	n/a	n/a	n/a	7,076	7,323

Source: Census



In the City of Needles, the 2010 Census count was 4,844. The annual growth since 2010 has been -0.1% through 2015. This figure from Environmental Systems Research Institute ("ESRI") is statistically similar to that of the U.S. Census 2014 estimate.

Year		Population	% Change	Source
1950	Census Count	4,051	12%	U.S. Census
1960	Census Count	4,590	13%	U.S. Census
1970	Census Count	4,051	-12%	U.S. Census
1980	Census Count	4,120	2%	U.S. Census
1990	Census Count	5,191	26%	U.S. Census
2000	Census Count	4,830	-7%	U.S. Census
2010	Census Count	4,844	0%	U.S. Census
2015	Estimate	4,820	0%	Environmental Systems Research Institute

There are two differing forecast figures for 2020. ESRI forecasts roughly 4,844, and the Southern California Association of Governments ("SCAG") forecasts roughly 5,600. Comparing these figures to the 2015 estimate, the annual growth rates during this five year period are a vastly different at 0.1% and 3.0%, respectively. For the 2020 SCAG forecast to occur would require an increase of roughly 750 inhabitants. The 2020 ESRI figure is more in line with previous growth rates and is therefore more likely to occur.

2020	Forecast	4,844	Environmental Systems Research Institute
		5,600	SCAG 2012-2035 Regional Transportation Plan
2035	Forecast	6,800	SCAG 2012-2035 Regional Transportation Plan

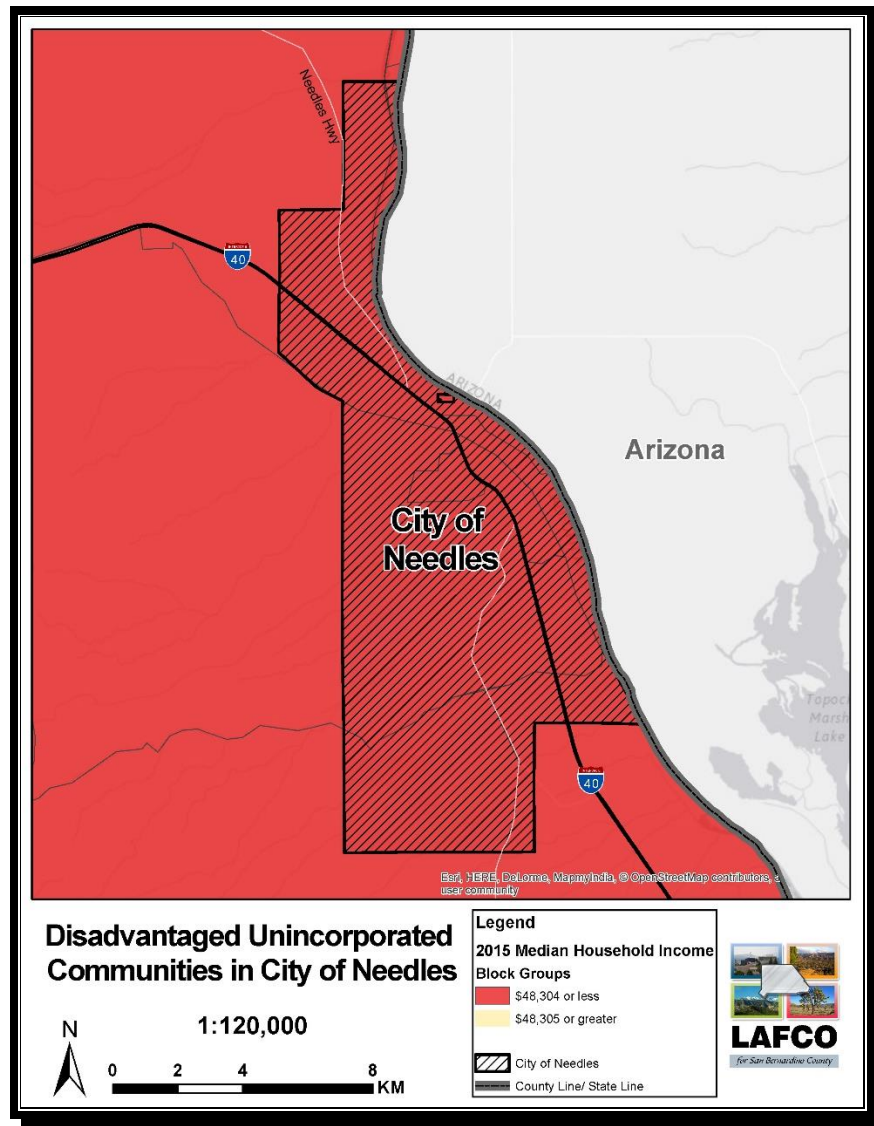
LAFCO staff has adjusted the 2035 SCAG forecast by using a conservative annual growth rate of 1.0%, which we believe is more realistic than SCAG's annual growth rate of 2.3% from 2020 to 2035. The result is a 2035 forecast of roughly 5,613 as shown below, with five-year increments.

2020	Forecast	4,844	Environmental Systems Research Institute
2025	Forecast	5,091	LAFCO Revision
2030	Forecast	5,351	LAFCO Revision
2035	Forecast	5,613	LAFCO Revision

2. The present and probable need for public facilities and services in the area:

Costs for the provision of contract fire protection and emergency medical services provided by County Fire for the City of Needles are expected to increase significantly in the coming years. Without a change in governance, reductions in service will be required to be implemented which may jeopardize public safety for residents and businesses within the City of Needles.

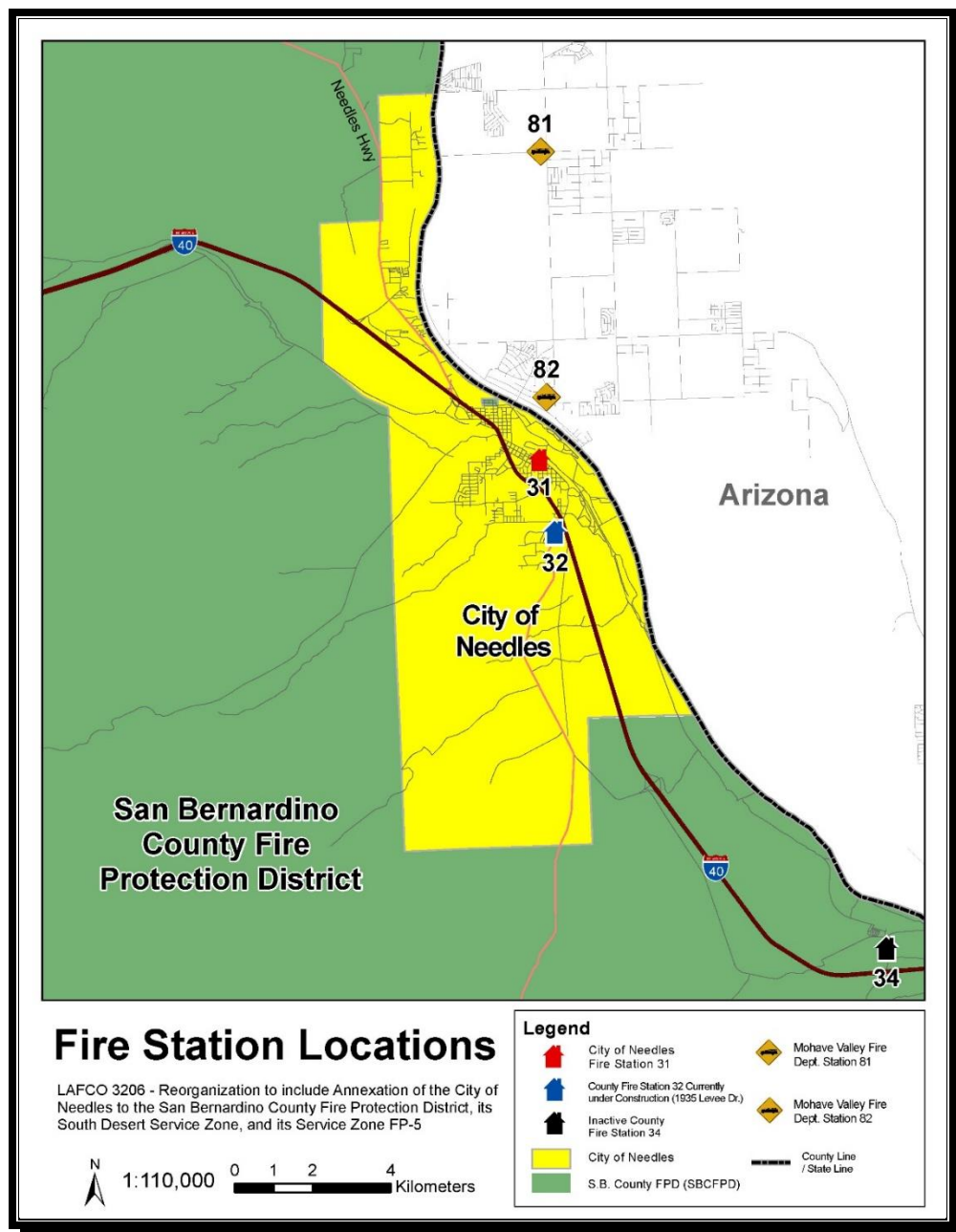
Government Code Section 56425(e)(5) directs the Commission to evaluate the present and probable need for the delivery of structural fire protection within a disadvantaged unincorporated community. LAFCO 3205 addresses the incorporated City of Needles. However, the questions for assurance of service delivery to a disadvantaged community are real in this situation for both unincorporated and incorporated territory. The 2015 Disadvantaged Community Maps maintained by LAFCO identify that the entire area within the City of Needles and the immediate surrounding areas are disadvantaged, and the Commission has an inherent responsibility to assure the continuation of the critical public health and safety service. The entirety of the area shown on the map, below, meets the criteria for a disadvantaged community which is defined by State law as areas where households earn \$48,305 or less per year (80% of statewide median income).



3. The present capacity of public facilities and adequacy of public services that the agency to be expanded provides or is authorized to provide:

County Fire operates 75 fire stations serving approximately 750,000 residents in approximately 16,535 acres of unincorporated territory plus seven incorporated cities including Adelanto (by contract), Fontana (by contract), Grand Terrace, Hesperia (by contract), Needles (by contract) Victorville (by contract), and Yucca Valley. County Fire provides a full range of emergency services, including ladder trucks, fire boats for water rescues, snow cats for winter operations, heavy equipment for flooding and earth moving, ambulance transportation in seven ambulance operating areas, paramedics and large incident command and control capability. County Fire is the largest provider of pre-hospital care in the County and the second largest ambulance provider.

The current County Fire Station 31, built in 1953 at 633 Front Street in downtown Needles, is no longer adequate or large enough to serve the fire protection and emergency services needs of the Needles community. County Fire is currently constructing Fire Station 32 located at 1113 East Broadway (State Route 95) within the City of Needles. Scheduled for completion in the fall of 2016, the 6,300 square foot facility will allow room for future growth of fire protection and emergency services to the Needles area and the territory of the eastern County unincorporated area under its responsibility.



The package of applications submitted by the City of Needles is intended to ensure adequate, long-term fire protection and emergency response services for the residents of the Needles. The City of Needles can no longer afford to continue funding these services at appropriate levels.

4. The existence of any social or economic communities of interest as determined by the Commission to be relevant to the agency:

As one of the gateways to California, the Needles community holds a significant place in the fabric of California. However, its economic standing has suffered as the economies of communities in Arizona and Nevada have advanced. Social and economic communities of interest include the surrounding Indian tribes, Needles Unified School District, Burlington Northern Santa Fe Railroad related businesses along Highway 40, and the Colorado River and its economic and recreational uses. The Colorado River Medical Center is the largest employer in the City, but its future is also in question due to its proximity to larger and varied facilities in the adjacent states.

Services of the Agency:

Government Code Section 56425(i) requires that during a sphere of influence amendment or update for a special district, the Commission is required to review and identify the range of services to be provided, as well as the nature and location of those services. At present, the Commission's "Exhibit A" (which lists the functions and services of special districts) identifies the following services for the San Bernardino County Fire Protection District:

<u>FUNCTION</u>	<u>SERVICES</u>
Fire	structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, paramedic, ambulance transportation, emergency response, and disaster preparedness planning.

No change in the range or level of service authorized County Fire is anticipated through the consideration of LAFCO 3205.

ADDITIONAL DETERMINATIONS:

1. The Commission is the lead agency for review of the potential environmental consequences of the sphere of influence modifications. LAFCO staff has provided the Commission's Environmental Consultant, Tom Dodson of Tom Dodson and Associates, with the application materials for review. Mr. Dodson has indicated the proposed sphere amendment is not judged to pose any adverse changes to the physical environment. Therefore, his recommendation is that the sphere

amendment is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b).

2. Legal notice of the Commission's consideration of the proposal has been provided through publication of a 1/8th page advertisement in *The Needles Desert Star*, a newspaper of general circulation in the area. In addition, individual notice was provided to affected and interested agencies, County departments and those individuals and agencies requesting special notice.
3. The map and legal description of this sphere of influence amendment was prepared and certified by the County Surveyor's Office.

CONCLUSION:

LAFCO 3205 is the first step in a two-part process to provide for continuing fire protection and emergency medical response services to the City of Needles. Continuing with the current contract with County Fire for fire protection and emergency medical services is clearly infeasible due to increased contract costs which the City is unable to fund. Without a change in governance, further reductions in service will be required to be implemented by the City. Should these additional service cuts be imposed, the level of fire and emergency medical protection services provided by the City may jeopardize public safety for residents and businesses within the City of Needles boundary as well as the many travelers along Highway 40, California Route 95 and the Needles Highway. To address this situation, annexation into County Fire is warranted.

For all the reasons outlined in this report, LAFCO staff supports the change in sphere of influence designation to expand the sphere for County Fire and its related service zones.

Attachments:

1. [Vicinity Map, Proposed Sphere of Influence Amendment, and Supplemental Maps](#)
2. [City of Needles/San Bernardino County Fire Protection District Application](#)
3. [Letter from Commission Environmental Consultant Tom Dodson of Tom Dodson and Associates Dated April 2, 2016](#)
4. [Draft LAFCO Resolution No. 3219](#)